IN THE HIGH COURT OF GUJARAT AT AHMEDABAD

SPECIAL CIVIL APPLICATION No 12666 of 2000

For Approval and Signature:

Hon'ble MR.JUSTICE P.B.MAJMUDAR

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1. Whether Reporters of Local Papers may be allowed to see the judgement? : NO

2. To be referred to the Reporter or not? : NO

3. Whether Their Lordships wish to see the fair copy of the judgement? : NO

4. Whether this case involves a substantial question of law as to the interpretation of the Constitution of India, 1950 of any Order made thereunder? : NO

5. Whether it is to be circulated to the Civil Judge? : NO

SOMANI PILKINGTONS LIMITED

Versus

MAHESHKUMAR SHANKARLAL DALWADI

Appearance:

MR KM PATEL for the Petitioner.

MR SB BRAHMBHATT for the Respondent.

MR DJ BHATT for the Respondent.

CORAM : MR.JUSTICE P.B.MAJMUDAR

Date of decision: 03/10/2001

ORAL JUDGEMENT

Rule returnable today. Mr.Bhatt waives service of rule on behalf of the respondent. With the consent of the parties, the matter is taken up for final hearing today.

The petitioner has challenged the Award at Annexure `F' dated 11.10.1999 passed in Reference (LCK) No.300 of 1994. By the aforesaid Award, the Reference of the respondent was accepted by the Labour Court and the petitioner was directed to reinstate him him in service with full back wages. Today, learned Advocate for the petitioner, has informed the Court that the dispute is settled between the parties and in lieu of reinstatement and back wages, the respondent workman has agreed to accept Rs.75,000/- in all. Mr.Bhatt, appearing for the respondent has also confirmed the settlement and he states that the respondent has agreed to accept Rs.75,000/- in full and final settlement of all his claims. The consent terms signed by the parties are also taken on record. In short, the effect of this order is that the Award of the Labour Court is substituted and in lieu of reinstatement and back wages, the respondent-workman has agreed to accept Rs.75,000/- as full and final settlement of all his claims. On receiving the said amount, the claim of the respondent arising from the aforesaid Award shall stand satisfied. The order of the Labour Court is accordingly substituted by the aforesaid consent terms.

The petition is partly allowed with no order as to costs.

3rd October, 2001 (P.B. Majmudar, J.)

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(apj)